

**FILED**

**APR 19 2006**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

JOSE VICENTE LOPEZ HERNANDEZ,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney  
General,

Respondent.

No. 05-72397

Agency No. A96-339-651

MEMORANDUM<sup>\*</sup>

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted April 10, 2006<sup>\*\*</sup>

Before: KOZINSKI, RYMER and PAEZ, Circuit Judges.

We have reviewed the petition for review, the stay motion, petitioner's opening brief, and the record. Respondent's unopposed motion for summary disposition is granted because the questions raised by this petition for review are

---

<sup>\*</sup> This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

05-72397

so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). Petitioner cannot prove his “removal would result in exceptional and extremely unusual hardship to the alien’s spouse, parent, or child, who is a U.S. citizen or lawful permanent resident.” as required under 8 U.S.C. § 1229b(b) because petitioner had no qualifying relatives at the time of the hearing. Accordingly, this petition for review is denied.

**PETITION FOR REVIEW DENIED.**